

Andrew L. Deutsch (AD 5782)
Monica Petraglia McCabe (MM 5853)
Christine M. Jaskiewicz (CJ 1477)
DLA PIPER US LLP
1251 Avenue of the Americas
New York, New York 10020
(212) 335-4500
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
ROTHSCHILDS CONTINUATION HOLDINGS AG, :
ROTHSCHILD NORTH AMERICA INC., :
ROTHSCHILD INC., and ROTHSCHILD ASSET :
MANAGEMENT INC., :

Plaintiffs,

- vs -

JED P. KAPLAN, KAPLAN & CO. SECURITIES :
LLC, and LF ROTHSCHILD, LLC, :

Defendants. :
----- X

07 Civ. 6261 (AKH)

**[PROPOSED] ORDER PERMITTING
EXPEDITED DISCOVERY AND
SETTING DATE FOR PRELIMINARY
INJUNCTION HEARING**

Upon the Summons and Complaint, the Notice of Motion for Preliminary Injunction and Proposed Order, the Notice of Motion for Order for Expedited Discovery and Proposed Order, the Declaration of John Carroll, dated July 10, 2007 and exhibits thereto, Plaintiffs' Memorandum Of Law In Support Of Motions For Preliminary Injunction and Order Granting Expedited Discovery, and pursuant to Rules 26, 30, 34, and 65 of the Federal Rules of Civil Procedure and 28 U.S.C. § 1657(a), and it appearing from the above documents and the other evidence provided to the Court that plaintiffs have moved for a preliminary injunction, and have

shown that they will suffer irreparable injury in absence of a preliminary injunction and a probability that they will prevail on the merits of their claim, and/or that plaintiffs have shown serious issues going to the merits of their claims and evidence that they will suffer substantially greater hardship from denial of a preliminary injunction than defendants will suffer from the grant of a preliminary injunction, and it further appearing that expedited discovery will allow the plaintiffs' motion for preliminary injunction to be heard at an earlier date, it is hereby:

ORDERED, that the parties may undertake the discovery described in this Order prior to the conference required by Fed. R. Civ. P. 26(f); and it is further

ORDERED, that from the date of this Order, any party may immediately serve on any other party requests for production of documents and things related to the issues raised by plaintiffs' motion for preliminary injunction, and that written responses and hard copies or electronic copies of all responsive documents are to be produced by the noticed party to counsel of the requesting party within one week of service of such a request; and it is further

ORDERED, that any party may serve a notice for deposition of any other party (which may be, in the case of a corporate party, a notice pursuant to Fed. R. Civ. P. 30(b)(6)), requiring that party to appear for deposition not earlier than one week from the date of service of the notice, and said party shall appear and give testimony on the date and place requested in the notice absent further order of this Court. Depositions shall be taken in the county of residence or of the principal place of business of the noticed party. Each deposition shall last not more than one day of seven hours, exclusive of lunch and rest breaks, and it is further

ORDERED, that any party may serve a subpoena for attendance at a deposition or for production, inspection, copying, testing, or sample upon a non-party, pursuant to Fed. R. Civ. P. 45. A subpoena that allows at least fourteen days for compliance by the non-party shall be

deemed to allow a reasonable time for compliance under Fed. R. Civ. P. 45(3)(A)(i). Any deposition shall take place in the county of residence or of the principal place of business of the noticed non-party. Each deposition shall last not more than one day of seven hours, exclusive of lunch and rest breaks, and it is further

ORDERED, that a hearing shall be held before the Court on Plaintiffs' Motion for Preliminary Injunction, to commence on _____, 2007 at _____.m., and to continue thereafter as directed by the Court until completed.

Dated: New York, New York
July ____, 2007

United States District Judge